

Response to Restriction Requirement

Appl. No. 10/539,672

October 24, 2007

REMARKS

I. Amendments

Claims 1-8 are pending. Claim 8 has been withdrawn, and claims 1-3 and 7 have been amended. The claim amendments simply rephrase the claims to make the claim language more consistent and/or easier to read. Applicants submit that such amendments are permissible under MPEP §2163.07, and do not introduce new matter.

Applicants reserve the right to pursue any canceled or other subject matter disclosed in this application in one or more divisional and/or continuation applications.

II. Response to Restriction Requirement

In response to the October 2, 2007 Restriction Requirement, Applicants elect **Group I**, comprising claims 1-7 and drawn to a pharmaceutical composition.

Claim 8 is directed to a method of making a pharmaceutical composition of claim 1. Pursuant to Applicants' restriction requirement election, claim 8 has been withdrawn. Once claim 1 is allowed, however, Applicants request that claim 8 be rejoined. Under such a circumstance, this rejoinder is required:

Process claims which depend from or otherwise include all the limitations of the patentable product will be entered as a matter of right if the amendment is presented prior to final rejection or allowance.

MPEP §821.04(b) (emphasis added).

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Applicants do not believe that any fee is due in connection with this filing. If, however, Applicants do owe any such fee(s), the Commissioner is hereby authorized to charge the fee(s) to Deposit Account No. **02-2334**. In addition, if there is ever any other fee deficiency or overpayment under 37 C.F.R. §1.16 or 1.17 in connection with this patent application, the Commissioner is hereby authorized to charge such deficiency or overpayment to Deposit Account No. **02-2334**.

Applicants submit that this application is in condition for allowance, and request

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that it be allowed. The Examiner is requested to call the Undersigned if any issues arise that can be addressed over the phone to expedite examination of this application.

Respectfully submitted,



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